

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION**

MAURICE PENNY, SR., Register No. 522035,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 09-4121-CV-C-NKL
	)	
JOHN ENNENBACH, et al.,	)	
	)	
Defendants.	)	

**ORDER**

On August 18, 2009, United States Magistrate Judge William A. Knox recommended dismissing plaintiff's claims against defendant Sgt. Shelly Martin. The parties were advised they could file written exceptions to the recommendation, pursuant to 28 U.S.C. § 636(b)(1)(C). No exceptions have been filed.

A review of the record convinces the court that the recommendation of the Magistrate Judge is correct and should be adopted.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of August 18, 2009, is adopted. [11] It is further

ORDERED that plaintiff's claims against defendant Sgt. Shelly Martin are dismissed, pursuant to 28 U.S.C. § 1915A, for failure to state a claim for which relief can be granted.

/s/ \_\_\_\_\_

NANETTE K. LAUGHREY  
United States District Judge

Dated: September 30, 2009  
Jefferson City, Missouri